

6. (New) A method for reducing colormap flashing on a display system, the display system having a frame buffer which provides a single hardware colormap, the method comprising the steps of:

intercepting a request from an application program for an allocation of a private colormap;

transparently simulating the allocation of the private colormap using a default colormap; and

determining whether a private color cell has been requested by the application program and writing said private color cell to the default colormap.

REMARKS

The amendment to the Figure 3 and the Specification correct typographical and labeling errors and do not introduce any new matter into the application. Specifically, the amendment to Figure 3 deletes some unnecessary element numbers while the amendment to the Specification adds element numbers in the description that are supported by the drawings.

Support for claims 5 and 6 can be found, among other places, on page 11, line 17 to page 12, line 2 of the Specification. No new matter is introduced by the Amendment. Upon entry of the Amendment, claims 1–6 will be pending in the application.

Objection to the Specification and Drawings

Figures 2 and 3 are objected to for failing to comply with 37 C.F.R. 1.84(p)(4). Applicant has amended Figure 3, and the Specification to correct the errors and requests that the objection to the drawings be withdrawn. In addition, the Applicant has amended the Specification to correct the error on page 9 and requests the objection to the Specification be withdrawn.

Rejection of Claims under 35 U.S.C. § 102(b)

Claims 1–4 are rejected under 35 U.S.C. § 102(b) over *Aschenbrenner et al* (U.S. Pat. No. 5,406,310). A rejection under 35 U.S.C. § 102(b) requires that "each and every element as set forth in the claim is found, either

expressly or inherently described, in a single prior art reference.” See MPEP § 2131. *Aschenbrenner* does not meet this requirement because that invention does not transparently simulate the allocation of a private colormap requested from an application like the present invention.

Claim 1 of the present invention includes the step of transparently simulating the allocation of the private colormap using a default colormap. See claim 1, lines 7–8. This transparently simulating step fools the application program into believing that it has properly obtained a private colormap, when in actuality the default colormap is used. See Specification, page 10, lines 13–19. This transparent simulation does not force an application to decide whether to use substitute colors during the allocation of a private colormap.

In contrast, *Aschenbrenner* teaches away from transparently simulating the allocation of the private colormap by forcing an application to choose among three alternatives for allocating the colors in the colormap used by the application program. See *Aschenbrenner*, column 4, lines 58–67. Instead of providing a transparent interaction between an application and a colormap, *Aschenbrenner* places an obstacle between them that adds both time and complexity to the allocation of a colormap by an application. Accordingly, the rejection of claim 1 under 35 U.S.C. §102(b) over *Aschenbrenner* is improper and should be withdrawn.

The rejection of claim 2 under 35 U.S.C. § 102(b) over *Aschenbrenner* is improper for at least the same reasons as claim 1, but there is more: The method of claim 2 includes a step of allocating a secondary lookup table that is nowhere found in *Aschenbrenner*. In the closest color set process described in *Aschenbrenner*, unloaded image colors requested by an application program are compared against the colors in the default table, but nothing similar to a secondary lookup table is mentioned. Accordingly *Aschenbrenner* lacks this element as well.

Applicant does not believe that the rejection of claims 3 and 4 under 35 U.S.C. § 102(b) over *Aschenbrenner* has been properly stated. The Office Action states that it would have been “obvious” to one of ordinary skill in the

art to implement the method of claims 1 and 2 as computer executable instructions stored on a computer-readable medium. Applicant notes that if the Office is rejecting claims 3 and 4 because they are obvious in light of the prior art, then a rejection under 35 U.S.C. § 102(b) is improper as a matter of law.

Nonetheless, Applicant notes that claim 3 includes computer readable code devices that cause a computer to transparently simulate the allocation of a private colormap using the default colormap. Therefore like claim 1, claim 3 does not change the color information in the default colormap in contrast to what is described in *Aschenbrenner*. Accordingly, claims 3 and 4 are not anticipated by *Aschenbrenner* for at least the same reasons as claims 1 and 2.

In view of all of the above, the rejection of claims 1–4 under 35 U.S.C. § 102(b) over *Aschenbrenner* is improper, and Applicant respectfully requests that it be withdrawn.

Conclusion

The references that were cited but not relied upon are believed to be no more pertinent than those references that were relied upon, and Applicants believe the pending claims are patentable over those references. In view of all of the above, claims 1–4 are believed to be allowable and the case in condition for allowance, which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact Applicants' attorney at the telephone number listed below.

No fee is believed to be required by this Response. Should any fees be required, please charge Deposit Account 50-1123. Should any extension of time be required, please consider this a petition therefore and charge the required fee to Deposit Account 50-1123.

Respectfully submitted,

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MARKED UP VERSION OF THE AMENDMENT

IN THE SPECIFICATION

On page 6, second paragraph, please amend the specification as follows:

Fig. 2 shows a block diagram of a system incorporating one embodiment of the present invention. Masked software interface 10 creates and manages a secondary lookup-table 12, which maps to the default colormap 14 (Fig. 7) as will be described below. The software interface 10 intercepts and processes graphical requests or calls from an application program 16 (i.e., an X client application) which involve private colormap allocations. The interface 10 uses the default colormap 14 to satisfy the private colormap requests of application 16, without switching out the default colormap 14 from the display hardware 18 (i.e., frame buffer). In this manner, the display hardware 18 maintains the default colormap 14 without switching to a private colormap, and therefore colormap flashing is prevented.

On page 7, second paragraph, please amend the specification as follows:

The operating environment in which the present invention is used encompasses a standalone computing system as well as a general distributed computing system. In the distributed computing system, general purpose computers, workstations, or personal computers are connected via communication links of various types in a client-server arrangement. Programs and data, many in the form of objects, are made available by various members of the system. Some of the elements of a standalone computer or a general purpose workstation are shown in Fig. 3, wherein a processor 21 is shown, having an input/output (I/O) section 22, a central processing unit (CPU) 23 and a memory section 24. The I/O section 22 is connected to a keyboard 25, a display unit 26, a disk storage unit 29, 30 and 31, a CD-ROM drive unit 27, and a network 32. The CD-ROM unit 27 can read a CD-ROM medium 28 which typically contains programs [35] 45 and data. The computer program products containing mechanisms to effectuate the apparatus and methods of the present invention may reside in memory section 24, on the disk storage unit 29 or 31, or on the CD-ROM 28 of such a

system. Examples of such systems include SPARC Systems offered by Sun Microsystems, Inc., personal computers offered by IBM Corporation and by other manufacturers of IBM compatible personal computers, and systems running UNIX operation systems such as SOLARIS and LINUX operating systems.

On page 9, second paragraph please amend the specification as follows:

As shown in Fig. 3, the present invention could be embodied within in application program 45 [35] operating within the computing system [20]. The application program 45 [35] could be accessed over network 32 by remote stations 33, or accessed locally by the CPU 23. The software interface 10 of the present invention ([shown in Fig. 1] shown in Fig. 2) could be stored within disc storage unit 29, the floppy disc 31, or the CD-ROM medium 28.

Alternatively, the software interface 10 could be stored remotely within the storage devices associated with remote computers 33. The location of the software interface and related files is a matter of choice dependent upon the particular implementation chosen, and does not limit the scope of the present invention.

A circular black ink stamp from the Intellectual Property Office (IPO). The text "IPO" is on the left, "JUL 24 2002" is in the center, and "PATENT & TRADE MARKS OFFICE" is on the right. The number "JC61 32" is at the top.

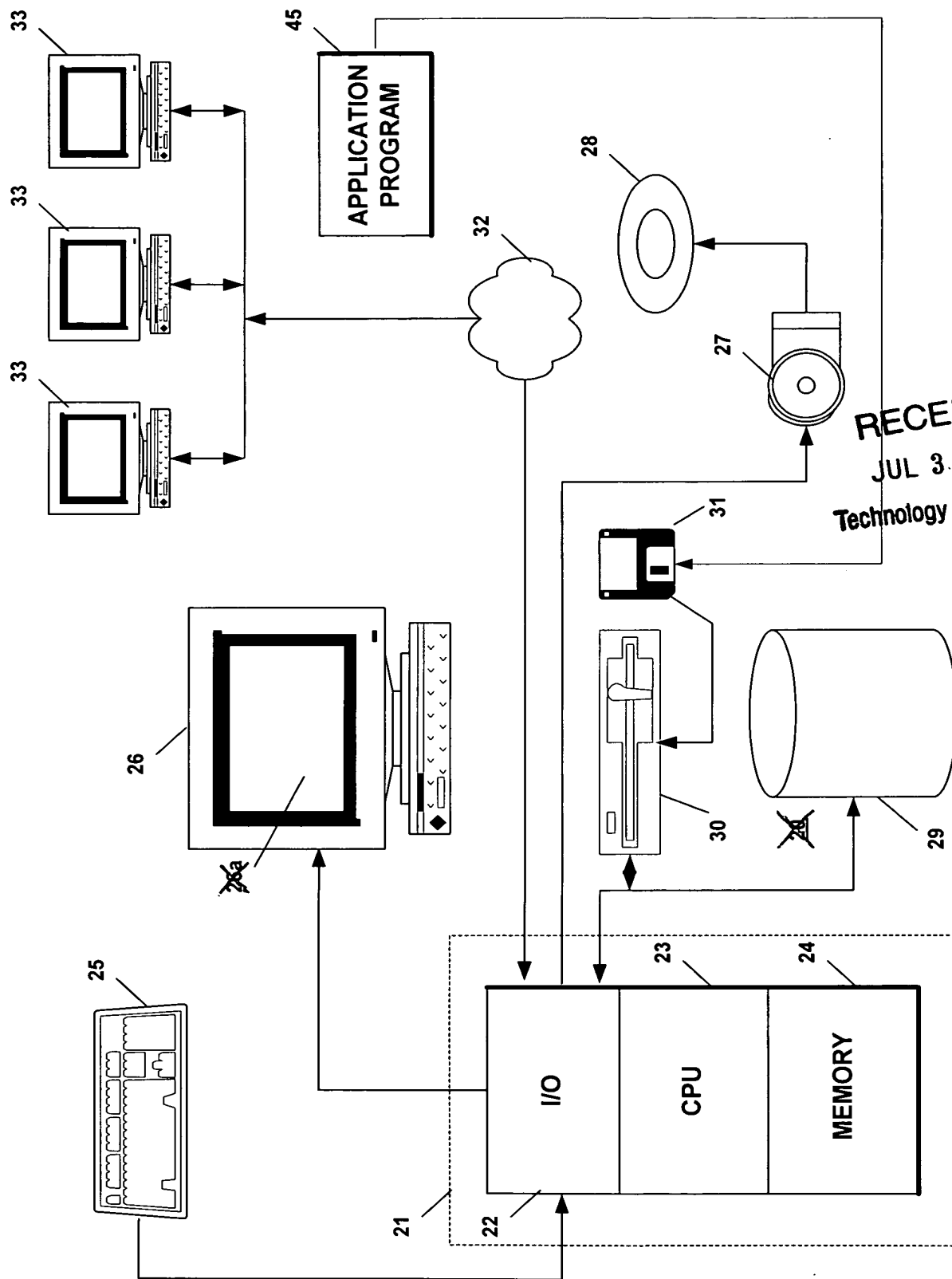


FIG. 3